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Prospective Attorney for the Debtor

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

540 Willoughby Avenue LLC,

Chapter 11

Case No. 18-43292

Debtor.

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**AFFIRMATION UNDER BANKRUPTCY RULES 1007 AND
7007-1, LOCAL BANKRUPTCY RULES 1007-4, 1073-27007-1,**

Rahim Siunykalimi affirms under penalty of perjury as follows:

1. I am the president of the above-captioned debtor and debtor-in-possession (the "Debtor"). I make this affirmation under Bankruptcy Rules 1007 and 7007.1, and Local Bankruptcy Rules 1007-4, 1073-2 and 1074-1.

2. On June 4, 2018 (the "Petition Date"), the Debtor commenced its voluntary chapter 11 case by filing a "Voluntary Petition for Non-Individuals Filing for Bankruptcy" (ECF Doc. No. 1).

Information Required Under Bankruptcy Rules 1007 and 7007-1

3. The Debtor has filed a matrix list containing the name and address of each entity included or to be included on Schedules D, E/F, G and H.

4. There are no entities to report under Bankruptcy Rule 7007.1

Information Required Under Local Bankruptcy Rule 1007-4

5. The Debtor's case qualifies under section 101(51B) of title 11, U.S. Code (the "Bankruptcy Code") as a single asset real estate entity.

6. The Debtor operates a business with a mailing address of 123 Church Avenue, Brooklyn, NY 11218. The Debtor's principal assets are located at 7218 Avenue M, Brooklyn, NY 11234 (the "Premises").

7. The Debtor is required to commence its chapter 11 case because of a pending foreclosure sale of the Property and desires to resolve the issues arising from that action. The Debtor believes that, given sufficient time, it can create value in the Property above the amount of the secured claims. The value of the Property is currently insufficient to provide a full payment to its secured creditors.

8. All members whose consent is required for the filing of the Petition have consented.

9. I am the President of the Debtor. I have managed the Debtor since its inception. I operate, or supervise the operation of, the Debtor's business.

10. The twenty largest unsecured creditors of the Debtor are listed on a separate filing (ECF Doc. No. 1).

11. The Debtors two (2) largest secured creditors are:

a. Bank of New York Mellon as Trustee,
c/o Leopold & Associates
80 Business Park Drive
Suite 110
Armonk, NY 10504; and

b. Church Avenue Realty LLC
c/o Sue Zouky, Secretary of State
State of New York
1 Commerce Place
99 Washington Avenue
Albany, NY 12231

12. No equity securities are publicly held.

13. None of the Debtor's property is known to be in the possession or custody of any custodian, public officer, mortgagee, pledgee, assignee of rents, or secured creditor, or agent for any such entity.

14. The Debtor owns the Premises.

15. The Debtor's significant assets are the Premises. The Debtor's books and records, and the location from which it operates its business is 123 Church Avenue, Brooklyn, NY 11218.

16. The estimated weekly payroll to the Debtor's employees, (exclusive of officers, directors, stockholders, partners and members) for the 30-day period following the filing of the chapter 11 petition is \$0.00.

17. The amount paid and proposed to be paid for services for the 30-day period following the filing of the chapter 11 petition is \$0.00.

18. For the 30-day period following the filing of the chapter 11 petition, the Debtor estimates that it will not have any receipts or disbursements.

19. The Debtor does not have any property outside the territorial limits of the United States.

Information Required Under Local Bankruptcy Rule 1073-2 (E.D.N.Y. LBR 1073-2 Statement)

20. To the best of my knowledge, information, and belief, no Related Cases (as defined in Local Bankruptcy Rule 1073-2) are pending or have been pending at any time.

/s/ Rahim Siunykalimi

Rahim Siunykalimi

Affirmed before me this 4th
day of June, 2018

/s/ Reginald P. Nau

Notary Public, State of New York

No. 01NA6368577

Qualified in Kings County

My Commission Expires Dec. 18, 2021